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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL REVISION APPLICATION NO.47 OF 2007

Baburao @ Laxman Vithal Habib Petitioner

versus

Shashikant Sadashiv Tilekar Respondents
and others

Mr.A.P.Vanarse for petitioner.

CORAM : A.S.OKA, J.

DATE : 28th March 2007

PC :

1. Submissions of the advocate for the petitioner were heard on the last date. An order was not passed on that day with a view to enable the advocate for the petitioner to take instructions.

2. The advocate for the petitioner, on instructions of the petitioner, states that the petitioner is not pressing the revision application on merits. He, however, submits that a longer time to vacate may be granted considering the fact that the petitioner is a

senior citizen.

3. Considering the facts and circumstances of the case, a reasonable time to vacate the premises deserves to be granted to the petitioner, provided, the petitioner files an undertaking of himself and all adult members of his family occupying the suit premises along with him to vacate the suit premises within the time fixed by this Court. Considering the facts and circumstances of the case, time to vacate is granted till 31st May 2008.

4. Civil Revision Application is dismissed as not pressed. No orders as to costs.

5. Notwithstanding the dismissal of the revision application, the decree for possession shall not be executed till 31st May 2008 subject to petitioner filing an usual undertaking of himself and of all adult family members of his family occupying the suit premises along with him to vacate the suit premises on or before 31st May 2008. The undertaking shall be filed in this Court within a period of four weeks from today. If undertaking is not filed within the stipulated period of four weeks, the decree for possession

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will forthwith become executable.

6. All concerned to act on an ordinary copy of this order duly authenticated and issued by the Registry of this Court.

(A.S.OKA, J.)